

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

KEITH ROZZELLE, )  
Plaintiff, )  
v. ) Civil Action No. 98-1738  
CHARLES ROSSI, Health Care Administrator; ) Judge Gary L. Lancaster/  
DR. FALOR; RAYMOND RAMSEY; and EMSA ) Magistrate Judge Amy Reynolds Hay  
and/or PRISON HEALTH SERVICES; )  
Defendants. )

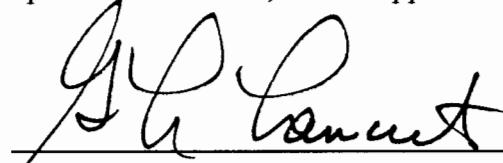
## ORDER

AND NOW, this 26<sup>th</sup> day of JUNE, 2006, after the plaintiff, Keith Rozzelle, filed an action in the above-captioned case, and after a Motion to Dismiss was submitted by the defendants Raymond Ramsey and Emergency Medical Services Associates, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by defendants and the response thereto filed by the plaintiff, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Motion to Dismiss filed by Defendants Raymond Ramsey and Emergency Medical Services Associates is DENIED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the defendants desire to appeal from this Order they must do so within

thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



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GARY L. LANCASTER  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

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